

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

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Roy Lee McAtee 147846
Plaintiff

2007 OCT - 1 A 9:17

(Original)

vs.

Bob Riley et.al,
Defendants

DEBRA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA

Action No. 2:07-CV-692-WKW

Objection To Defendants Special Report And Motion
For Court Order Directing Defendants To File A Special Report
That Is Complete As To Every Issue Plaintiff Has Raised - More
Definite Statement

Comes now, Roy Lee McAtee, the plaintiff in the above styled
cause and moves this Honorable Court to grant this Objection To
Defendants Special Report And Motion For Court Order Directing
Defendants To File A Special Report That Is Complete As To Every
Issue Plaintiff Has Raised, and in support thereof states the
following:

1. The objection entails several aspects, the most prominent of
which is the defendants transparent attempt to prejudice plaintiff
before the Court by characterizing him as a repeat sexual offender.
At pg 5. of Defendants Special Report is found:

"However, after this release, Mr. McAtee was subsequently
arrested for numerous other offenses, including additional criminal sex
offenses, including sodomy, Sexual Battery, and Failure to Register [redacted].
As the defendants well know these allegations were found to

be false and I was released from the custody of the Oklahoma County Oklahoma Sheriff's Department two days later.

2. The second objection to the defendants Special Report is the inclusion in it of the statement found on pg. 4:

Mr. McAttee carefully fails to disclose any of his criminal history in Alabama, Oklahoma, and South Dakota" (End Quote).

This statement is obviously another transparent attempt by the defendants to prejudice me before the Court by implying that I am being deceptive. In the process of initiating this action I proceeded on the basis that I was challenging only (emphasis added) "Only" the Constitutionality of The Community Notification Act and not my past criminal convictions, the entirety of which, aside from the January 1st 1988 conviction, have all either been Class C felonies or Misdemeanors.

3. Because of the defendants actions, attempt to prejudice plaintiff before the Court, plaintiff feels compelled to provide the following details to counter such:

1. Arrested for criminal mischief in Houston Tx. in 1973.
2. Juvenile Delinquent in 1976 and committed to Alabama Dept. Youth services.
3. Confined in the custody of the Alabama Dept of Youth Services from approximately 1977 till 1980-81.
4. Arrested for 2 counts burglary III and one count attempted burglary in 1983. (Pickens County Alabama)
5. Sentenced to 5 years probation for Burglary III in Tuscaloosa Co. Alabama 1982.
6. Numerous Misdemeanor Offenses
7. A more detailed account of my past criminal conduct can

be obtained from Attorney Douglas Freeman of Montgomery County, Alabama. He has in his possession a 57 pg handwritten notice that I submitted to him for presentation to the Honorable Judge Tracy McCoey during the proceedings against me in that Court.

8. If the Defendants or this Honorable Court cannot obtain the above mentioned document I do have a copy and will gladly (emphasis added) "Gladly" submit it for the Courts, or the Defendants, perusal if the means to copy it is made available.

My objections being made part of the record, and the need for such being occasioned by the defendants, I will now, as the plaintiff in this action, state the reasons for an order directing the defendants to file a complete Special Report.

1. The defendants Special Report abruptly ends at pg 19. with the phrase;

"Poverty or some other" (end quote).

2. While this report can be responded to in regards to the other claims ie. Bill of Attainder, Ex Post Facto, Double Jeopardy, Due Process, it cannot be responded to in regards to the Equal Protection claim because this section is incomplete.

3. Defendants incomplete Special Report was received by Plaintiff on the 21st day of September 2007.

Conclusion

With the above premises considered the plaintiff asks this

Court's forgiveness for the unusualness of this Objection and Motion but also prays that the Court will recognize that it was occasioned by the defendants ~~willful~~ actions.

Relief Sought

1. An order directing the defendants to submit a complete Special Report
2. An order directing the defendants to refrain from attempts to prejudice the Court against Plaintiff.
3. An order directing the defendants not to introduce unnecessary rancor into these proceedings.
4. Any and all other relief that the Court may deem just and proper under the premises.

Respectfully submitted this 25th day of September 2007.

Roy McAttee 147346
Movant

Certificate of Service

I, Roy Lee McAttee do hereby certify that I have served a true and correct copy of the foregoing upon the defendants, Bob Riley et.al., by placing same, postage pre paid, in the United States Mail.

Respectfully submitted this 25th day
of September 2007.

Roy McAttee 147346
Attendant

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